

PATENT APPLICATION

#11  
10/10/03

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Katsusuke SHIMAZAKI et al.

Group Art Unit: 2652

Application No.: 09/830,928

Examiner: T. Chen

Filed: May 24, 2001

Docket No.: 109431

For: OPTICAL DISK, DISK SUBSTRATE, AND DRIVING APPARATUS

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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SEP 24 2003

Technology Center 2600

Sir:

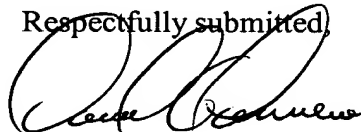
In reply to the August 26, 2003, Election of Species Requirement, Applicants provisionally elect Species VII, Figure 4G, with traverse. It is submitted claims 51, 58, 67, 76 and 88 are generic to the elected species, and claims 51-94 are believed to read on the elected species.

Applicants traverse the Election of Species Requirement on the ground that the generic claims are not so broad as to place an undue burden on the Patent Office to search and examine the full scope of the claims. Rather, Applicants respectfully assert that search and examination of the entire application could be conducted without undue burden on the Examiner, thus avoiding delay and expense to the Applicants.

Applicants further understand, however, that upon search, examination and allowance of the elected species, search and examination will continue as to the non-elected species within the scope of the generic claims.

Entry of the foregoing remarks and early and favorable consideration of the application are respectfully requested. Should the Examiner have any questions regarding the application, or any suggestions to expedite prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Daniel A. Tanner, III  
Registration No. 54,734

JAO:DAT/brc

Date: September 23, 2003

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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